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LEADERS OF NATIONWIDE ILLEGAL ALIEN EMPLOYEE-LEASING CONSPIRACY SENTENCED

WASHINGTON – The two leaders of a six-person nationwide employee-leasing conspiracy that exploited hundreds of illegal aliens throughout the United States have been sentenced to terms in prison, Assistant Attorney General Alice S. Fisher of the Criminal Division and R. Alexander Acosta, U.S. Attorney for the Southern District of Florida, announced today.

At a hearing today before U.S. District Judge Kenneth A. Marra of the Southern District of Florida in Ft. Lauderdale, Jozef Bronislaw Bogacki, 43, a native of Poland and naturalized U.S. citizen residing in Clearwater, Fla., was sentenced to 57 months in prison. Judge Marra also imposed a money judgment of \$950,000 and ordered Bogacki to forfeit six pieces of real property valued at approximately \$500,000.

Judge Marra also sentenced Jaroslaw “Jerry” Sawczuk, 38, a Polish and Canadian citizen formerly of Coral Springs, Fla, to 51 months in prison and imposed a money judgment of \$950,000 on Sawczuk. Sawczuk was ordered to surrender to the Department of Homeland Security at the end of his sentence, and cannot enter the United States again without the consent of the Attorney General.

Bogacki and Sawczuk were the leaders of a six-person nationwide employee-leasing conspiracy that exploited hundreds of illegal aliens throughout the United States, responsible for laundering over \$20 million and defrauding the U.S. Treasury of at least \$5.7 million. A third defendant in the conspiracy, Pavel Preus, 39, a Slovak citizen residing in Pompano Beach, Florida, was sentenced by Judge Marra on Sept. 13, 2006 to 37 months in prison and 36 months of supervised release. Bogacki, Sawczuk and Preus had all pleaded guilty to charges of conspiracy to transport, house and otherwise encourage illegal aliens to remain in the United States, and to commit visa, wire, mail and tax fraud, and money laundering.

The remaining defendants – Lucia Kanis, 31, a Slovak citizen; Ivan Kanis, 39, a Slovak citizen residing in the Slovak Republic; and Andor Pikali, 37, a Slovak citizen who resided in Coral Springs, Fla. – are fugitives and believed to be overseas.

An indictment naming the six defendants, returned by a federal grand jury on Jan. 13, 2005, alleged that the defendants formed numerous sham corporations in Florida and, through these corporations, contacted legitimate businesses throughout the United States, such as farms, dairies, food plants and factories, and offered the services of “work-authorized” leased workers. The defendants promised these businesses that the defendants would contribute to, collect, and pay over Social Security and Medicare contributions, and federal and state income taxes. Instead, the defendants supplied unauthorized immigrant workers and never made the required

payroll tax payments, keeping over \$5.7 million in unpaid taxes and contributions for their own use.

“Those who defraud the government, business clients, other companies and their own employees will serve time in prison,” said Assistant Attorney General Alice S. Fisher of the Criminal Division. “We will not allow individuals to violate our laws and exploit our immigration system for their own personal profit.”

“These defendants exploited our immigration laws to enrich themselves, pocketing the withholding taxes that were to be have been paid on behalf of the unauthorized immigrant workers,” said U.S. Attorney Alexander Acosta of the Southern District of Florida. “I commend the exemplary and collegial work of four federal agencies – the Department of Homeland Security, the Department of Labor, Internal Revenue Service, and the U.S. Postal Inspection Service, and the patient dedication of our prosecutors, in bringing these criminals to justice.”

“The exploitation of our immigration system by greed and profit-driven criminal organizations simply will not be tolerated,” said Julie Myers, Department of Homeland Security Assistant Secretary for Immigration and Customs Enforcement (ICE). “This case demonstrates the resolve of ICE and our law enforcement partners to target corrupt employers while supporting responsible business owners who play by the rules.”

Gordon S. Heddell, Inspector General of the Department of Labor, stated, “Today’s sentencing sends a forceful message that the circumvention of the Department of Labor’s Foreign Labor Certification program will absolutely not be tolerated. As we did in Operation Pisces, my office will continue to both dedicate resources and work with other law enforcement agencies in order to protect the integrity of the Department of Labor’s programs.”

The joint investigation, known as Operation Pisces, started in 2002. The investigation was led by the Kansas City Office of U.S. Immigration and Customs Enforcement, Group Supervisor Doug Bemiss; the U.S. Department of Labor, Office of the Inspector General, Labor Racketeering and Fraud Investigations, Special Agent Sean Kilcoyne; and the Miami, Florida field office of the Internal Revenue Service, Special Agent Kenneth Murphy. The Miami Office of the U.S. Postal Inspection Service also provided support for the investigation. The case was prosecuted by Senior Trial Attorneys Michael E. Barr and Judith R. O’Sullivan of the Domestic Security Section of the Criminal Division at the U.S. Department of Justice, and by Assistant U.S. Attorney Jeffrey H. Kay of the Ft. Lauderdale office of the U.S. Attorney’s Office for the Southern District of Florida.

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